

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
San Francisco Venue

Amended Petition for Summons for Person Under Supervision
(Original Arrest Warrant Petition filed on June 27, 2024)

Person Under Supervision
Shunnee King

Docket Number
CR-06-00658-001 CRB

Name of Sentencing Judge: The Honorable Charles R. Breyer
Senior U.S. District Court Judge

Date of Original Sentence: October 22, 2008

Original Offense

Count One: 18 U.S.C. § 1591, Sex Trafficking of a Child, a Class B Felony

Original Sentence: 65 months BOP custody, followed by five years of supervised release.

Special Conditions: \$100 Special Assessment; Shall participate in substance abuse treatment; Shall participate in a mental health treatment program; Shall make an application to register as a sex offender; Expanded search; Shall not possess or use any data encryption technique or program; Shall consent to periodic unannounced examination of computer equipment; Shall not have any contact with the victim in case # CR-06-00658-001 CRB; and Location Monitoring (LMON)- Home Detention for the duration of his custodial sentence.

Prior Form(s) 12: N/A

On November 1, 2023, Your Honor granted Mr. King's filed Motion for Compassionate Release. The Court reduced Mr. King's sentence to time served with stringent conditions of specialized release as imposed in his original sentencing hearing and as recommended by the probation officer. Mr. King's special conditions of supervision were modified to include an expanded search condition including electronic devices and their data, and Location Monitoring (LOMON) for the duration of his custodial sentence.

On June 27, 2024, a Form 12 Arrest Warrant was filed, alleging Mr. King associated with someone engaged in criminal activity, traveled to the Eastern District of California (EDCA) without permission, and violated the rules of his Location Monitoring (LMON).

On July 8, 2024, Mr. King appeared in custody before Magistrate Judge Thomas S. Hixon, for an Initial Appearance. Mr. King was remanded into the custody of the U.S. Marshals Service (USMS) and the matter was continued to July 10, 2024, at 10:30 a.m. for a Detention Hearing.

RE: King, Shunnee
CR-06-00658-001 CRB

2

On July 10, 2024, Mr. King appeared in custody before Magistrate Judge Thomas S. Hixon, for a Detention Hearing. Mr. King was subsequently ordered released back to his mother's residence in Oakland, California, under GPS Location Monitoring (LMON) program. Judge Hixon further stated Mr. King's LMON schedule was restricted to traveling to his listed employment at SFO Airport, and any approved activities from the probation officer. Mr. King was subsequently released from Santa Rita Jail and reported to the Oakland Office to get his GPS LMON equipment re-installed.

On July 24, 2024, Mr. King appeared for an Initial Appearance before Your Honor. The matter was continued to October 3, 2024. The matter was subsequently continued to October 9, 2024, at 1:30 p.m.

Type of Supervision

Supervised Release

Assistant U.S. Attorney

Nicholas M. Parker

Defense Counsel

Elizabeth Meyer Falk (AFPD)

Date Supervision Commenced

November 2, 2023

Date Supervision Expires

November 1, 2028

Petitioning the Court to amend the previously filed petition with the addition of Charges Five and Six. All new information is highlighted in bold. This petition supersedes the petition filed on June 27, 2024. It is respectfully requested to keep the scheduled Status Hearing on October 9, 2024, at 1:30 p.m., and appear before the duty magistrate judge on a date to be determined by the Court, for an Initial Appearance on the new charges.

I, Malik Ricard, a Probation Officer employed in the United States District Court for the Northern District of California, solemnly affirm and declare, under penalty of perjury, that to the best of my information and belief, the facts set forth in this affidavit are true and correct. The factual affirmations made below are based on my personal knowledge, on official records or documents generated and maintained by my agency in the course of performing its functions, on official records or documents generated and maintained by other government agents or agencies in the course of performing their functions, or on information provided to me orally or electronically by employees or agents of other public agencies (information developed or acquired in the course of performing official agency functions).

Charge Number

Violation

One

There is probable cause to believe the person under supervision violated standard condition number nine, which states he shall not associate with any persons engaged in criminal activity and shall not associate with any person convicted of a felony unless granted permission to do so by the probation officer.

RE: King, Shunnee
CR-06-00658-001 CRB

3

While on GPS Location Monitoring, Mr. King was found to have associated with an individual who was involved in shooting and is a suspect in a California Penal Code (PC) 187- Murder. Mr. King was found to have been at the same location of the murder, fled the scene with the murder suspect, and he also sustained gunshot wounds.

On June 23, 2024, at about 1816 hours, Oakland Police Department (OPD) officers were dispatched to 996 44th Street in Oakland, California to investigate a report of a shooting. Upon arrival, officers located a shooting scene. While officers were conducting the preliminary investigation, officers received calls from both Children's Hospital and Highland Hospital of gunshot wound victim walk-ins.

Victim-1 arrived at Children's hospital suffering from apparent gunshot wounds (later transferred to Highland Hospital) and Shunnee King arrived at Highland Hospital suffering from apparent gunshot wounds. Victim-1 succumbed to his injuries and was pronounced deceased. Mr. King was listed in stable condition and subsequently discharged from the hospital on June 24, 2024. He arrived back to his residence in Oakland, California at approximately 0300 hours.

OPD officers recovered surveillance footage revealing Mr. King associating and loitering with the murder suspect, and near the suspect vehicle, a Mercedes SUV, just prior to the shooting. Surveillance footage showed one of the suspects armed with a handgun (not Mr. King), and the murder suspect was seen shooting the handgun westbound on 44th St and then entering the rear passenger seats of the Mercedes SUV. Surveillance footage showed Mr. King visibly injured and running away from the scene while hiding near a residence. The suspect vehicle was then seen fleeing eastbound on 44th St. and waited to pick up Mr. King, who jumped in the front passenger seat as the vehicle sped off.

GPS location monitoring tracking points confirmed Mr. King was in the area of the shooting and traveled from the shooting scene to Highland Hospital in Oakland, California. At the time of the completion of this report, the murder suspect is still outstanding and has not been apprehended by law enforcement.

Evidence of this violation conduct can be found in the Oakland Police Department Incident Report ##24-031230 and Mr. King's GPS tracking points from June 23, 2024, and June 24, 2024.

RE: King, Shunnee
CR-06-00658-001 CRB

4

<u>Charge Number</u>	<u>Violation</u>
Two	<p>There is probable cause to believe the person under supervision violated standard condition number one which states he shall not leave the judicial district without permission of the court or probation officer.</p>

Mr. King traveled into the Eastern District of California (EDCA) on three occasions while being monitored by GPS location monitoring technology.

On April 7, 2024, Mr. King's April 6, 2024, GPS location monitoring tracking points were reviewed. On said date, it was discovered Mr. King traveled from his residence in Oakland, California, to address area 709 Lincoln Road, Vallejo California (Safeway) and a location near Georgia Street and Main Street, Vallejo California.

On June 7, 2024, Mr. King's June 6, 2024, GPS location monitoring tracking points were reviewed. On said date, it was discovered Mr. King traveled from his residence in Oakland, California, to address area 1505 Sacramento Street, Vallejo California (residential) and Nation's Giant Hamburgers near Tennessee Street and Sonoma Blvd., Vallejo California (Solano County).

On June 16, 2024, Mr. King's June 15, 2024, GPS location monitoring tracking points were reviewed. On said date, it was discovered Mr. King traveled from his residence in Oakland, California, to address area 17645 CA-160, Rio Vista California (Solano County, Brannan Island State Rec Area riverfront park). It appeared Mr. King also traveled by boat in the river to an area of Rio Vista Bridge and back to the park area.

Evidence of this violation conduct can be found in the probation officer's chronological entries dated April 7, 2024; June 7, 2024; June 16, 2024; and the corresponding GPS tracking points on the above listed dates.

<u>Charge Number</u>	<u>Violation</u>
Three	<p>There is probable cause to believe the person under supervision violated standard condition number seven, which states he shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any controlled substance or any paraphernalia related to any controlled substances, except as prescribed by a physician.</p>

Mr. King admitted to smoking marijuana while traveling out of district (Eastern District of California) and attending an event in Rio Vista, California.

RE: King, Shunnee
CR-06-00658-001 CRB

5

On June 18, 2024, the probation officer contacted Mr. King at his residence in Oakland, California. On said date, the probation officer directed Mr. King to submit to urinalysis (UA) which he complied. Mr. King's UA sample returned presumptive positive for THC-marijuana. Mr. King subsequently signed an admission form and admitted to smoking marijuana while out-of-district at an event on June 16, 2024, in Rio Vista, California. Mr. King was verbally admonished for the illegal substance use as well as traveling out of district while on GPS location monitoring.

Evidence of this violation conduct can be found in the probation officer's chronological entry dated June 18, 2024, and Mr. King's signed Admission Form dated June 18, 2024.

Charge Number

Violation

Four

There is probable cause to believe the person under supervision violated standard condition number nine, which states he shall not associate with any persons engaged in criminal activity and shall not associate with any person convicted of a felony unless granted permission to do so by the probation officer.

Mr. King was discovered to be associating with federal client, Donnie Bell, at Buchanan Park in Pittsburg California. Mr. Bell is also on supervised release and participating in GPS Location Monitoring (LMON).

On June 23, 2024, Mr. King's June 22, 2024, GPS LMON tracking points were reviewed. On said date, it was discovered Mr. King traveled from his residence in Oakland, California, to Buchanan Park in Pittsburg, California. It was also discovered on the same date, federal client, Donnie Bell, traveled from his residence in San Francisco, California, to Buchanan Park in Pittsburg, California. GPS tracking points and latitude/longitude were reviewed for both Mr. King and Mr. Bell- placing them at Buchanan Park together; in the same vicinity; and during the same time period.

The probation officer notes Mr. Bell is a convicted felon who on August 18, 2016, was convicted of 18 U.S.C. § 111(b), Assault on Person Assisting Federal Officer or Employee in the Performance of Official Duties; and 18 U.S.C. § 924(c)(1), Brandishing Firearm During and in Furtherance of a Crime of Violence. Mr. Bell was sentenced to 97 months and one day of BOP custody, followed by three years of supervised release.

RE: King, Shunnee
CR-06-00658-001 CRB

6

Evidence of this violation conduct can be found in the probation officer's chronological entry dated June 23, 2024, at 1717 hours, Mr. Bell's criminal record, and the GPS tracking points from June 22, 2024, for both Mr. Bell and Mr. King.

Charge Number

Violation

Five

There is probable cause to believe the person under supervision violated standard condition number seven, which states he shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any controlled substance or any paraphernalia related to any controlled substances, except as prescribed by a physician.

Mr. King submitted a urinalysis (UA) which tested positive for marijuana.

On August 15, 2024, Mr. King reported to the Oakland office. The probation officer directed Mr. King to submit to a UA which he complied. The UA subsequently returned presumptive positive for marijuana. The UA sample was packaged and mailed to the National Laboratory for confirmation.

On August 20, 2024, The National Laboratory Report was received and confirmed Mr. King's UA sample for THC- marijuana metabolite.

Evidence of this violation conduct can be found in the probation officer's chronological entry dated August 15, 2024, at 1250 hours; and the National Laboratory Report specimen # B04538784.

Charge Number

Violation

Six

There is probable cause to believe the person under supervision violated the Location Monitoring (LMON) – Home Detention special condition imposed by Your Honor on Order Granting Motion for Sentence Reduction Under 18 U.S.C. § 3582(C)(1)(A), filed on November 1, 2023.

After being released from custody on July 10, 2024, by Magistrate Judge Thomas S. Hixon, and ordered back on GPS LMON; Mr. King deviated from his travel schedule on multiple occasions to loiter in areas of San Francisco, California, and make unauthorized stops in Pacifica, California, and Oakland, California.

According to the Location Monitoring Program – GPS Participant Agreement Mr. King signed on November 9, 2023, he agreed to these specific program rules in summary:

RE: King, Shunnee
CR-06-00658-001 CRB

7

“3. I agree not to deviate from my approved schedule, except in an emergency. In the event of an emergency, I agree to first contact my officer for approval to leave the residence or other location, if possible...”

“5. I understand that my activities must be verified, and I agree to submit documentation to verify my activities, as requested by my supervising officer. Failure to submit proper verification may result in a restriction of my leave activities.”

On August 5, 2024, Mr. King left his listed employment at SFO International Airport and deviated from his normal travel route home to Oakland, California. At approximately 1907 hours, Mr. King exited interstate 280 North freeway and entered the housing developments located near 25th Street and Connecticut Street, in San Francisco, California. Mr. King then got back on the freeway at approximately 1913 hours and returned directly home.

On August 13, 2024, Mr. King left his residence in Oakland, California, at approximately 0833 hours. Instead of driving directly to his employment at SFO International Airport, Mr. King traveled to the area of 1513 Baker Street, San Francisco, and 2562/2558 Sutter Street, San Francisco. After making it to his employment and finishing his shift, Mr. King traveled through the Tenderloin area of San Francisco, around 1547 hours through 1603 hours, before getting back on the Bay Bridge and traveling to his residence in Oakland for the evening.

On August 24, 2024, Mr. King traveled to two Pacifica, California residences after his work shift was over at SFO International Airport (646 Parkview Circle, Pacifica, from 2023 hours to 2029 hours; and 460 Inverness Drive, Pacifica, from 2032 hours to 2035 hours).

On September 11, 2024, Mr. King left his residence in Oakland, California, at approximately 0847. Instead of driving directly to his employment at SFO International Airport, Mr. King traveled to the area of Brookfield Village in Oakland, California (near 555 98th Avenue) prior to traveling to his employment at SFO International Airport.

On September 14, 2024, Mr. King left his listed employment at SFO International Airport and deviated from his normal travel route home to Oakland, California. At approximately 1615 hours, Mr. King exited interstate 280 North freeway and entered the housing developments located near 25th Street and Connecticut Street, in San Francisco, California. Mr. King then got back on the freeway

RE: King, Shunnee
CR-06-00658-001 CRB

8

at approximately 1528 hours and returned directly home to Oakland, California.

On September 24, 2024, after his work shift was over at SFO International Airport, Mr. King traveled through a Pacifica, California neighborhood (Parkview Circle & Hickey Blvd) from 1517 hours through 1520 hours, before getting back on the freeway and crossing the Bay Bridge to get home to his residence in Oakland, California.

On September 28, 2024, after his work shift was over at SFO International Airport, Mr. King traveled to the Bayview area of San Francisco, California (1515 Underwood Avenue, from 1620 hours through 1651 hours), before getting back on the freeway and crossing the Bay Bridge to get home to his residence in Oakland, California.

Evidence of this violation conduct can be found in the probation officer's chronological entries dated August 6, 2024; August 14, 2024; August 26, 2024; September 12, 2024; September 16, 2024; September 26, 2024; September 29, 2024; and the corresponding GPS tracking points.


Based on the foregoing, there is probable cause to believe Shunnee King violated the conditions of his supervised release. Therefore, I ask the Court to take notice of the new charges and continue the revocation proceedings previously set by Your Honor.

Respectfully submitted,

Reviewed by:



Malik Ricard
U.S. Probation Officer Specialist
Date Signed: October 9, 2024



Juan F. Ramirez
Supervisory U.S. Probation Officer

RE: King, Shunnee
CR-06-00658-001 CRB

9


Having considered the information set forth above, the court finds there is probable cause to believe there has been a violation of the conditions of supervision and orders:

☒ **Petitioning the Court to amend the previously filed petition with the addition of Charges Five and Six. All new information is highlighted in bold. This petition supersedes the petition filed on June 27, 2024. It is respectfully requested to keep the scheduled Status Hearing on October 9, 2024, at 1:30 p.m., and appear before the duty magistrate judge on a date to be determined by the Court, for an Initial Appearance on the new charges.**

☐ Other:

October 9, 2024

Date



Charles R. Breyer
Senior United States District Court Judge

RE: King, Shunnee
CR-06-00658-001 CRB

10

APPENDIX

Grade of Violations: **C [U.S.S.C §7B1.1(a)(3), p.s.] Charges One through Six**

Criminal History at time of sentencing: IV

	Statutory Provisions	Guideline Provisions
Custody:	Three years 18 U.S.C. § 3583(e)(3)	6-12 months U.S.S.C §7B1.4(a)(1)
Supervised Release:	5 years to life 18 U.S.C. § 3583(k)	5 years to life less any term of imprisonment that is imposed. USSC §5D1.2(a)(1) USSG § 7B1.3(g)(2), p.s.
Probation:	Not Applicable	Not Applicable

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

PROBATION OFFICE

1301 Clay Street, Suite 220S
Oakland, CA 94612,
510-637-3600

CHRIS CARRUBBA-KATZ
CHIEF U.S. PROBATION OFFICER



AARON TAM
DEPUTY CHIEF U.S. PROBATION OFFICER II

JENNIFER JAMES
DEPUTY CHIEF U.S. PROBATION OFFICER

October 9, 2024

MEMORANDUM

The Honorable Charles R. Breyer
Senior U.S. District Court Judge
San Francisco Courthouse
450 Golden Gate Avenue
San Francisco, CA 94102

Re: Shunnee King
Docket No.: CR-06-00658-001 CRB

Your Honor:

For the above referenced case, attached is an Amended Petition for Summons.

The address of the individual is as follows:

780 13th Street, #B106
Oakland, CA 94612

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Malik Ricard".

Malik Ricard
U.S. Probation Officer Specialist
Office: 510-637-3597 desk
Fax: 415-581-7457

Enclosures

MR